

§710.4

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weapons, or transfer, directly or indirectly, chemical weapons to anyone;

- (ii) Use chemical weapons;
- (iii) Engage in any military preparations to use chemical weapons; or
- (iv) Assist, encourage or induce, in any way, anyone to engage in any activity prohibited by the Convention.

(2) One objective of the Convention is to assure States Parties that lawful activities of chemical producers and users are not converted to unlawful activities related to chemical weapons. To achieve this objective and to give States Parties a mechanism to verify compliance, the Convention requires the United States and all other States Parties to submit declarations concerning chemical production, consumption, processing and other activities, and to permit international inspections within their borders.

(b) *Purposes of the Chemical Weapons Convention Regulations.* To fulfill the United States' obligations under the Convention, the CWC (parts 710 through 729 of this subchapter) prohibit certain activities, and compel the submission of information from all facilities in the United States, except for Department of Defense and Department of Energy facilities and facilities of other U.S. Government agencies that notify the USNA of their decision to be excluded from the CWC on activities, including exports and imports of scheduled chemicals and certain information regarding unscheduled discrete organic chemicals as described in parts 712 through 715 of the CWC. U.S. Government facilities are those owned by or leased to the U.S. Government, including facilities that are contractor-operated. The CWC also require access for on-site inspections and monitoring by the OPCW, as described in parts 716 and 717 of the CWC.

§710.4 Overview of scheduled chemicals and examples of affected industries.

The following provides examples of the types of industries that may be affected by the CWC (parts 710 through 729 of this subchapter). These examples are not exhaustive, and you should refer to parts 712 through 715 of the CWC to determine your obligations.

(a) Schedule 1 chemicals are listed in Supplement No. 1 to part 712 of the CWC. Schedule 1 chemicals have little or no use in industrial and agricultural industries, but may have limited use for research, pharmaceutical, medical, public health, or protective purposes.

(b) Schedule 2 chemicals are listed in Supplement No. 1 to part 713 of the CWC. Although Schedule 2 chemicals may be useful in the production of chemical weapons, they also have legitimate uses in areas such as:

- (1) Flame retardant additives and research;
- (2) Dye and photographic industries (e.g., printing ink, ball point pen fluids, copy mediums, paints, etc.);
- (3) Medical and pharmaceutical preparation (e.g., anticholinergics, arsenicals, tranquilizer preparations);
- (4) Metal plating preparations;
- (5) Epoxy resins; and
- (6) Insecticides, herbicides, fungicides, defoliants, and rodenticides.

(c) Schedule 3 chemicals are listed in Supplement No. 1 to part 714 of the CWC. Although Schedule 3 chemicals may be useful in the production of chemical weapons, they also have legitimate uses in areas such as:

- (1) The production of:
 - (i) Resins;
 - (ii) Plastics;
 - (iii) Pharmaceuticals;
 - (iv) Pesticides;
 - (v) Batteries;
 - (vi) Cyanic acid;
 - (vii) Toiletries, including perfumes and scents;
 - (viii) Organic phosphate esters (e.g., hydraulic fluids, flame retardants, surfactants, and sequestering agents); and

(2) Leather tannery and finishing supplies.

(d) Unscheduled discrete organic chemicals are used in a wide variety of commercial industries, and include acetone, benzoyl peroxide and propylene glycol.

§710.5 Authority.

The CWC (parts 710 through 729 of this subchapter) implement certain provisions of the Chemical Weapons Convention under the authority of the

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Chemical Weapons Convention Implementation Act of 1998 (Act), the National Emergencies Act, the International Emergency Economic Powers Act (IEEPA), as amended, and the Export Administration Act of 1979, as amended, by extending verification and trade restriction requirements under Article VI and related parts of the Verification Annex of the Convention to U.S. persons. In Executive Order 13128 of June 25, 1999, the President delegated authority to the Department of Commerce to promulgate regulations to implement the Act, and consistent with the Act, to carry out appropriate functions not otherwise assigned in the Act but necessary to implement certain reporting, monitoring and inspection requirements of the Convention and the Act.

§ 710.6 Relationship between the Chemical Weapons Convention Regulations and the Export Administration Regulations, the International Traffic in Arms Regulations, and the Alcohol, Tobacco, Firearms and Explosives Regulations.

Certain obligations of the U.S. Government under the CWC pertain to exports and imports. The obligations on exports are implemented in the Export Administration Regulations (EAR) (15 CFR parts 730 through 799) and the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120 through 130). See in particular §§ 742.2 and 742.18 and part 745 of the EAR, and Export Control Classification Numbers 1C350, 1C351, 1C355 and 1C395 of the Commerce Control List (Supplement No. 1 to part 774 of the EAR). The obligations on imports are implemented in the Chemical Weapons Convention Regulations (§§ 712.2 and 713.1) and the Alcohol, Tobacco, Firearms and Explosives Regulations in 27 CFR part 447.

SUPPLEMENT NO. 1 TO PART 710—STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING, AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION

LIST OF STATES PARTIES AS OF MARCH 25, 2006

Afghanistan	Algeria
Albania	Andorra

Antigua and Barbuda	India
Argentina	Indonesia
Armenia	Iran (Islamic Republic of)
Australia	Ireland
Austria	Italy
Azerbaijan	Jamaica
Bahrain	Japan
Bangladesh	Jordan
Belarus	Kazakhstan
Belgium	Kenya
Belize	Kiribati
Benin	Korea (Republic of)
Bhutan	Kuwait
Bolivia	Kyrgyzstan
Bosnia-Herzegovina	Laos (P.D.R.)*
Botswana	Latvia
Brazil	Lesotho
Brunei Darussalam*	Liberia
Bulgaria	Libya
Burkina Faso	Liechtenstein
Burundi	Lithuania
Cambodia	Luxembourg
Cameroon	Macedonia (The Former Yugoslav Republic of)
Canada	Madagascar
Cape Verde	Malawi
Chad	Malaysia
Chile	Maldives
China***	Mali
Colombia	Malta
Congo (Democratic Republic of the)	Marshall Islands
Cook Islands**	Mauritania
Costa Rica	Mauritius
Cote d'Ivoire (Ivory Coast)	Mexico
Croatia	Micronesia (Federated States of)
Cuba	Moldova (Republic of)*
Cyprus	Monaco
Czech Republic	Mongolia
Denmark	Morocco
Djibouti	Mozambique
Dominica	Namibia
Ecuador	Nauru
El Salvador	Nepal
Equatorial Guinea	Netherlands***
Eritrea	New Zealand
Estonia	Nicaragua
Ethiopia	Niger
Fiji	Nigeria
Finland	Niue**
France	Norway
Gabon	Oman
Gambia	Pakistan
Georgia	Palau
Germany	Panama
Ghana	Papua New Guinea
Greece	Paraguay
Grenada	Peru
Guatemala	Philippines
Guinea	Poland
Guyana	Portugal
Haiti	Qatar
Holy See*	
Honduras	
Hungary	
Iceland	